

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

GARY DUFFIN et al.

ATTORNEY DOCKET:

OB007ML-1

SERIAL NO: 09/696,854

EXAMINER: UNKNOWN

FILED: October 26, 2000

ART UNIT: UNKNOWN

TITLE: "Expandable Compositions,
Designs and Methods of Making and
Using the Compositions"

MOBERLY, MISSOURI

Date: January 29, 2001

**RESPONSE TO NOTICE OF MISSING PARTS OF NONPROVISIONAL
APPLICATION--Filing Date Granted**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

In response to the Notice of Missing Parts of Application mailed on January 08, 2001 (copy attached), please find attached hereto a signed Declaration and Power of Attorney for Patent Application for the above-identified patent application. Please also find attached hereto a check in the amount of two-hundred forty-six (\$246) to cover the surcharge in accordance with 37 C.F.R. 1.16(e) as well as additional claim fees. Should there be any other fee due in connection with this Application, please charge the same to Deposit Account No. 15-0680 (Orscheln Management Company). Should there be any questions regarding the attached Declaration, please telephone Applicants' attorney.

Respectfully Submitted,

Michael K. Boyer

Attorney for Applicants

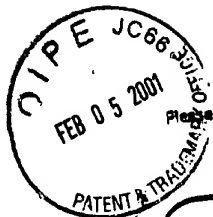
USPTO Reg. No. 33,085

tel: 660 269-4536

fax: 660 269-4530

email: mboyer@orscheln.com

Encl.: DECLARATION/CHECK/CERTIFICATE OF MAILING



Please type a plus sign (+) inside this box → ☒

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Approved for use through 09/30/2000, OMB 0831-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/696,854

Filing Date

10/26/2000

First Named Inventor

DUFFIN

Group Art Unit

—

Examiner Name

—

Total Number of Pages in This Submission

7

Attorney Docket Number

03007ML-1

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Raising Sile (PTC/S2/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to Group

☐ Access Communication to Board of Appeals and Interferences

☐ Access Communication to Group (Access Notice, Enter, Reply Sheet)

☐ Proprietary Information

☐ Status Letter

☐ Additional Enclosures (please identify below)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

MICHAEL K. BOYER

Signature

Michael Boyer

Date

29 JAN 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 01/29/01

Typed or printed name

MICHAEL BOYER

Date

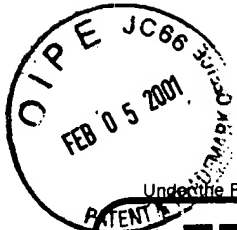
01/29/01

Signature

Michael Boyer

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 246.00

Complete if Known

Application Number

09/ 696, 854

Filing Date

10/26/2000

First Named Inventor

DUFFIN

Examiner Name

Group Art Unit

Attorney Docket No.

03007ML-1

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

15-0680

Deposit
Account
Name

ORSCHERN

☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	22	-20** =	2	X	Fee from below	18	=	36
Independent Claims	4	-3** =	1	X	Fee from below	80	=	80
Multiple Dependent							=	116

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Fee Description

103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 116.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

Name (Print/Type)

MICHAEL BOYER

Registration No.
(Attorney/Agent)

33,085

Complete (if applicable)

Telephone

660269-4536

Signature

Michael Boyer

Date

29 JAN 2001

WARNING: Information on this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/696,854	10/26/2000	Gary Raymond Duffin	OB007ML-1

Michael K Boyer
CHIEF PATENT COUNSEL
ORSCHELN MANAGEMENT CO
2000 US HWY 63 South
Moberly, MO 65270

FORMALITIES LETTER



OC00000005660944

Date Mailed: 01/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$116.
 - \$36 for 2 total claims over 20.
 - \$80 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 246.

02/07/2001 ETULU1 00000044 09696854

01 FC:103	36.00 OP
02 FC:102	80.00 OP
03 FC:105	130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY